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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE STATIC RANDOM ACCESS
MEMORY (SRAM) ANTITRUST
LITIGATION

This Document Relates to:
ALL ACTIONS

Case No. 4:07-md-1819 CW
MDL No. 1819

**ORDER GRANTING SAMSUNG'S
ADMINISTRATIVE MOTION TO FILE
LENIENCY AGREEMENT UNDER
SEAL FOR *IN CAMERA* REVIEW**

1 At the December 14 Pretrial Conference and by its December 16, 2010 Order on
 2 Motions in Limine and For Pre-Trial Preparation (Docket No. 1206), the Court granted defendants
 3 Samsung Electronics Co., Ltd. and Samsung Semiconductor, Inc.'s (collectively "Samsung")
 4 Motion in Limine No. 2 to exclude at trial any evidence of or reference to Samsung's leniency
 5 agreement with the U.S. Department of Justice ("DOJ") in connection with DOJ's investigation of
 6 the SRAM industry, or any other evidence of or reference to that investigation. However, the
 7 Court ordered Samsung to lodge with the Court for *in camera* review, along with a proposed
 8 sealing order, a copy of the January 17, 2006 letter memorializing Samsung's leniency agreement
 9 with DOJ (the "leniency agreement"), so that the Court could confirm that the letter does not
 10 provide a basis for impeachment of Samsung witnesses at trial. On December 29, 2010, Samsung
 11 filed an Administrative Motion to File Leniency Agreement Under Seal For *In Camera* Review
 12 (the "Motion"), and lodged the leniency agreement with the Court as Exhibit A to the
 13 accompanying Declaration of Michael W. Scarborough.

14 IT IS THEREFORE ORDERED that Samsung's motion is GRANTED as follows:

15 (1) The leniency agreement (Exhibit A to the December 29, 2010, Declaration of
 16 Michael W. Scarborough) shall be filed under seal for *in camera* review by the Court.

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18 IT IS SO ORDERED.

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20 Dated: 1/4/2011


 21 Hon. Claudia Wilken
 22 United States District Court Judge

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1 Submitted by:

2 MICHAEL W. SCARBOROUGH

3 **SHEPPARD MULLIN RICHTER & HAMPTON LLP**

4 *Attorney for Defendants*

5 *Samsung Electronics Company, Ltd. and*

6 *Samsung Semiconductor, Inc.*

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